

APPROVED: Meeting No. 7-82.

ATTEST:

Helen M. Heneghan

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
MEETING NO. 4-82

January 25, 1982

The Mayor and Council of Rockville, Maryland, convened in executive session on Monday, January 25, 1982, at 7:00 p.m. to discuss property disposition. There being no further business to come before the Mayor and Council in executive session, the meeting was adjourned at 8:00 p.m.

The Mayor and Council of Rockville, Maryland, convened in general session in the Council Chamber, Rockville City Hall, Maryland at Vinson Street, Rockville Maryland, on Monday, January 25, 1982, at 8:00 p.m.

PRESENT

Mayor William E. Hanna, Jr.

Councilman Steve Abrams

Councilwoman Phyllis Fordham

Councilman John Freeland

Councilman John Tyner

The Mayor in the Chair.

In attendance: City Manager Larry Blick; City Attorney Roger Titus; City Clerk Helen Heneghan; Public Information Officer Sue M. Patterson; Director of Finance John Lawton; Director of Community Development and Housing Assistance Douglas Horne; Director of Planning James M. Davis;

Re: City Manager's Report

Mr. Blick reported the following:

1. Standard and Poors today gave the City an AA rating on its notes. This indicates high quality. AA differs from an AAA rating to a very small degree. AAA is hard to secure because of the small size of the City.
2. Rockville has to date used more chemicals and more overtime than it does in an average year.
3. Walter Atwell of the Public Works Department suffered two minor heart attacks today. He is resting comfortably at Shady Grove Hospital.
4. The United States Court of Appeals, Fourth Circuit Court, today denied the citizens' request for an injunction on Gude Drive pending a decision on the appeal.

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Re: Appointments

Mayor Hanna made the following appointments. They were confirmed by the Council.

Retirement Board - Eve Grover, First Women's Bank
1800 Rockville Pike

Historic District Commission - Michael Patterson - one year term as Chairman

Humanities Commission - Jeanine Jeffs - 2 year term Jim Brown - 2 year term
835 Bowie Road 1017 DeBeck Drive

Alternative Community Service Commission - Thomas Murphy - 2 year reappointment term

Re: Introduction of Ordinance: To
Authorize the construction of
North Washington Street as a
Special Assessment Project

On motion of Councilman Abrams, there was introduced upon the table an ordinance authorizing the construction of North Washington Street as a special assessment project, said ordinance to lay over at least one week on the table before final action is taken.

Re: Review of testimony on Montgomery
County Capital Improvements Program

The Mayor and Council reviewed the testimony and suggested that more attention be given to the swim center proposal in the CIP. The City Manager explained that there were originally 53 sites that were narrowed down to 10 and then to 3. He suggested it might be a good idea for the County to look at private sites again and not just property the County owns. Councilman Abrams suggested that the testimony be more specific and give definite suggestions, for instance, an example of one site that would be more appropriate. He said the City's concern is legitimate but it is one that needs to be communicated better. Councilwoman Fordham suggested the City not encourage the Cabin John site in any shape or form. Mayor Hanna also suggested a graph be inserted showing the original plan's placement of swim centers around the County and of all that are planned, why should the County make a decision to build one that overlaps the area served by the City. There are people in far reaches of the County waiting for swim centers. It does not seem reasonable to put it right here. Councilman Freeland also noted that the City's Swim Center does not cost the tax payers; it is self-supporting. He suggested the County, in light of the current financial crunch, should go ahead with the project only if it can be financially self-sufficient.

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including debt service. Mayor Hanna will present the testimony next Wednesday night at 8:00 p.m.

Re: Approval of Request for water
and sewer and waiver of public
hearing for Fallsmead at Pipestem
Place

A sanitary sewer and water project request and waiver form has been received from the Berger/Berman Group. The project covers the extension of the public systems for the purpose of serving a new 26 lot subdivision, recently approved by the Planning Commission for the Ewing property, and is estimated to cost \$100,000. The property is located adjacent to the western limits of Fallsmead, at the existing terminus of Pipestem Place.

This is one of the on-going subdivision development projects which was in the processing stage, and therefore excluded from the recent action by the Mayor and Council terminating the practice of installing and funding public sewer and water systems for new subdivisions through the special assessment program.

The engineering design work, usually included with a project of this kind, has in this case, been prepared by the developer under the City's review and approval procedures. An appropriate adjustment will be made in the special assessment costs to be levied against the benefitting lots.

On motion of Councilman Freeland, duly seconded and unanimously passed, approval was given for the extension of water and sewer service and the public hearing was waived.

Re: Adoption of Ordinance: To grant
Street Closing Application, SCA-
SCA-35-81, Montrose West Limited
Partnership, Applicant

Ordinance No. 3-82

On motion of Councilman Tyner, duly seconded and passed, Mayor Hanna and Councilmembers Tyner and Fordham voting aye, Councilmembers Abrams and Freeland

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voting nay, Ordinance No. 3-82, the full text of which can be found in Ordinance Book No. 10, was adopted by the Mayor and Council granting the Street Closing and Abandonment Application, SCA-35-81, for a portion of Monroe Street.

Re: Decisions and Instructions to staff re Text Amendment Application T-45-81, Planning Commission Applicant, to allow a new Townhouse zone

Councilman Tyner asked if he could be provided with a 1 - 600 inch scale map of the City showing the properties that could be developed for townhouses that are 10 acres or less. Mayor Hanna said he would not like to delay approval until such a map could be furnished. Mr. Owens, chief planner, showed Mr. Tyner from a map on the board, those sections and briefed the Council on what could develop.

On motion of Councilwoman Fordham, duly seconded and unanimously passed, staff was instructed to prepare the necessary legal documentation to grant Text Amendment Application T-45-81, that provides for townhouse zoning inside the Town Center and in outlying areas that are 10 acres or less.

Re: Citizen's Forum

The Mayor opened the meeting to those citizens who wished to address the Mayor and Council.

There being no citizen wishing to be heard, the Mayor closed the citizen's forum portion of the meeting.

Re: Correspondence

The Mayor and Council noted the following items of correspondence:

1. P. and J. Shook, re ramps off Veirs Mill to Stonestreet Avenue
2. J. M. Griffin, re Townhouse zoning amendment
3. County Executive, re Ride-on

Re: Information Items

The Mayor and Council noted the following items of information:

1. Copy of County letter re license application
2. Copy of response to citizen complaint
3. Memo re Youth Employment Program
4. CDHA Project Report

5. Report on inspections at Rockville Housing Authority

Mayor Hanna noted that allegations get printed but never the answers and this report refutes all the things that were said about the Housing Authority in a local newspaper.

6. Prospectus and Notice of Sale of Bond Anticipation Notes

7. Memo re Traffic Control at Research Boulevard and Route 28

8. Memo on Dawson Farm property

Councilwoman Fordham said she is glad to see work being done on this property.

9. Copy of article on Money Market Report

Re: New Business

1. Councilman Abrams noted that Senator Howard Denis has introduced a bill regulating the sale of handguns and he provided copies to the Council.

2. Councilman Abrams said last year the City discontinued its membership with the National League of Cities but the membership does not expire until March 28. He suggested the Council reconsider it. Councilman Freeland moved for reconsideration. The motion was seconded by Councilman Abrams. Mayor Hanna said in the last couple of years the City has had much less success in getting its points across, but he would be willing to go along with membership in case things might change. Councilman Tyner said a budget decision was made and along with other budget decisions he does not plan to change his stand. \$1,500 membership is a very large sum and the National League of Cities looks after the interest of larger cities. The only advantage to membership would be a seat on the various steering committees, otherwise, the City has indirect membership through the Maryland Municipal League. Councilman Freeland said he shares a lot of Councilman Tyner's points. It is the things the League has not done that have bothered him and if they continued in that course he would remain with his vote and encourage others to do the same, but he has a feeling things might change and that is why he will support reversal of the previous decision. Councilwoman Fordham said the City has received no service from the League in years. The Conference of Mayors, on the contrary has done some things for the City. There is nothing the NLC does that cannot be done without them.

The motion passed, Mayor Hanna and Councilmembers Abrams and Freeland voting aye and Councilmembers Fordham and Tyner voting nay.

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3. Councilman Tyner noted that the Mayor and Council asked for three election ordinances to be on the agenda and he would like to know their status. The City Attorney said they were completed today. Councilman Tyner asked that they be on next week's agenda. The Mayor agreed to this.

Re: Approval of Minutes

On motion of Councilman Freeland, duly seconded and unanimously passed, the Minutes of Meeting No. 2-82, January 11, 1982, were approved as written.

Re: Executive Session

There being no further business to come before the Mayor and Council in general session, the meeting was closed for executive session to discuss property disposition.

Re: Adjournment

There being no further business to come before the Council in executive session, the meeting was adjourned at 11:00 p.m. to convene again in executive session on Friday, January 29, 1982, at 3:00 p.m. or at the call of the Mayor.